

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re patent ) Before the Examiner:  
application of: ) David C. Comstock  
Rolando M. Puno et al. )  
Serial No. 10/764,621 ) Group Art Unit:  
Filed: January 26, 2004 ) 3733  
                          ) December 10, 2008  
METHODS AND INSTRUMENTS FOR )  
INSERTING INTERVERTEBRAL GRAFTS ) Attorney Docket Ref.:  
AND DEVICES                 ) MSDI-292/PC1008.00

**RESPONSE TO FINAL OFFICE ACTION**

Commissioner for Patents  
PO Box 1450  
Alexandria, VA 22313-1450

Dear Sirs:

In response to the Final Office Action dated October 17, 2008, please consider the following. No fees or extensions of time are believed due for consideration of the enclosed. However, please provide any extensions of time which may be necessary, and charge any fees which may be due, or credit any overpayments, to Deposit Account No. 132546, but not including issue fees.